

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1242 be amended to read as follows:

- 1 Page 3, between lines 26 and 27, begin a new paragraph and
- 2 insert:
- 3 **"(g) It is against the public policy of the state and a**
- 4 **discriminatory practice for any employer to discriminate against**
- 5 **a prospective employee on the basis of the applicant's sexual**
- 6 **orientation."**
- 7 Page 3, line 27, delete "(g)" and insert **"(h)"**.
- 8 Page 4, line 31, after "sex," insert **"sexual orientation,"**.
- 9 Page 4, line 34, after "sex," insert **"sexual orientation,"**.
- 10 Page 7, line 11, after "sex," insert **"sexual orientation,"**.
- 11 Page 7, line 23, after "sex," insert **"sexual orientation,"**.
- 12 Page 9, between lines 38 and 39, begin a new paragraph and
- 13 insert:
- 14 "SECTION 5. IC 22-9-1-10 IS AMENDED TO READ AS
- 15 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 10. Every contract to
- 16 which the state or any of its political or civil subdivisions is a party,
- 17 including franchises granted to public utilities, shall contain a provision
- 18 requiring the contractor and ~~his~~ **the contractor's** subcontractors not to
- 19 discriminate against any employee or applicant for employment to be
- 20 employed in the performance of such contract, with respect to ~~his~~ hire,
- 21 tenure, terms, conditions or privileges of employment or any matter
- 22 directly or indirectly related to employment, because of ~~his~~ race,
- 23 religion, color, sex, **sexual orientation**, disability, national origin, or
- 24 ancestry. Breach of this covenant may be regarded as a material breach
- 25 of the contract.
- 26 SECTION 6. IC 22-9-1-11 IS AMENDED TO READ AS
- 27 FOLLOWS [EFFECTIVE JULY 1, 2014]: Sec. 11. In addition to its
- 28 power to investigate the discriminatory practices referred to in this
- 29 chapter, the commission may receive written complaints of violation of
- 30 this chapter or other discriminatory practices based upon race, religion,
- 31 color, sex, **sexual orientation**, national origin, or ancestry and to

1 investigate such complaints as it deems meritorious, or to conduct such
2 investigation in the absence of complaints whenever it deems it in the
3 public interest. It may transmit to the general assembly its
4 recommendations for legislation designed to aid in the removing of
5 such discrimination."

6 Renumber all SECTIONS consecutively.

(Reference is to EHB 1242 as printed February 28, 2014.)

Senator LANANE